

## MINUTES

### RANDOLPH COUNTY PLANNING BOARD

**September 12, 2006**

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, September 12, 2006, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Lynden Craven** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: Lynden Craven, Chairman, present; Jim Rains, Vice Chairman, present; Larry Brown, present; Phil Ridge, present; Chris McLeod, present; Reid Pell, present; Wayne Joyce, present; and Danny Shaw, Alternate, absent. **County Attorney Alan Pugh** was present for this meeting.
3. **Rains** made the motion, seconded by **Pell**, to approve the minutes of the August 15, 2006 Randolph County Planning Board meeting. The motion passed unanimously.
4. **REQUESTS FOR A SPECIAL USE PERMIT:**

*Swearing in of the Witnesses - "Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."*

3 citizens took this oath.

**NORTH STATE COMMUNICATIONS**, Charlotte, North Carolina, is requesting a Special Use Permit to allow a 195 ft. monopole cellular tower and support facility to be located on 938.43 acres at Millers Mill Road, Rural Growth Area, Trinity Township, Zoning District RA, Lake Reese Watershed, Tax ID# 7716635723. Property Owners - Lillian A Leath.

**Bonnie Newell**, Berkley Group, 10612 Providence Road, Charlotte, North Carolina, was present to represent North State Communications. Newell said the wireless industry is booming and it is rare to find a family that doesn't have a cell phone. Newell said there are location and capacity issues facing the industry. Newell said that this county is fortunate that North State is dedicated to their customers. Newell introduced Chris Horne, Engineer and Beth Koonce, landlord of the property who were also present for the hearing. Newell presented documents as evidence to be considered by the Board. Newell said the Berkley Group is employed by North State to fill the voids in their system. Newell said North State's wireless service is expanding for their customers and Hillsville

is a high priority for North State. Newell provided documentation as to how this site meets all the requirements of the County's Ordinance. Newell presented a map of the search ring area they needed to locate a tower. Newell said they met with the owner of the private airstrip located in this community. Newell said this site is located out of any FAA concerned areas. Newell said that the area to the east on this 1000 acres site is a concern of the FAA, there are topographical issues on the property, and they are limited to the location of the tower on this site. Newell described the topographical issues and explained the need to locate the tower on the proposed site. Newell said they aren't proposing a lattice tower and the monopole design blends into the horizon. Newell said they are sensitive to the neighbors and what they want. Newell said they are doubling up on the landscaping along the neighboring residence's property line. Newell said the tower will not be lit and will have a minimal visual impact. Newell said they feel this is the right spot for this tower. Newell provided maps of the current coverage and maps of how the coverage will be improved by this new tower. Newell said this is the only site proposed in the immediate future for North State. Newell said that this tower is designed to crumple within the leased area of 100' x 100'.

**Chris Horne**, North State Communications, Wireless Network Manager, discussed the issue of how hilly terrain effects cell phone coverage. Horne said that the future of wireless communication requires more tower locations. Horne said they are very sensitive to the Johnson Airfield and chose this site with the airfield in mind. Horne explained that the height of the tower is required to allow better signals and coverage. Horne said FCC and FAA regulations restrict the height of the tower. Horne said they have checked on co-locations and there are none in this area. Horne said the tower will be available for up to 3 additional carriers. **Rains** asked if the lightening rod is included in the proposed height of 195 feet or in addition to the 195 feet. **Newell** explained that the structure including the lightening rod will be 198 feet. Newell said that the MSL height will be 920 feet.

**Beth Koonce**, landowner, said that she and her sisters own the property. Koonce said that their first choice was the silo area. Koonce said that this site didn't work, nor did the site beside the barn work. Koonce said the property has been in their family since the early 30's as a working farm and they plan to continue to farm the property. Koonce said they have a tenant to the farm the property with 100 head of cattle. Koonce said the Big Uwharrie River and the Little Uwharrie River flow through this property. Koonce said the property starts to drop from Millers Mill Road to the river. Koonce said they plan to fence the area and setback areas from the farm to protect their livestock.

Newell said she felt the evidence provided should provide the following findings of fact:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted;
2. That the use meets all required conditions and specifications;
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to locate and in general conformity with the Land Development Plan for Randolph County.

**There was no one present in opposition to this request.**

**Rains** made the motion, seconded by **Ridge**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

5. **REQUESTS FOR PROPERTY REZONING:**

- A. **CHARLES LACKEY**, Denton, North Carolina, is requesting that 3 acres out of 56.43 acres located at 7113 Jackson Creek Road, Concord Township, be rezoned from RA to OI-CD. Rural Growth Area. Tax ID# 6790681557. The proposed Conditional Zoning District would specifically allow 80 x 75 multipurpose assembly building for missionary conferences & community meetings. Property Owner - Pauline Hoover.

• **Technical Review Committee Recommendation**

*The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be approved as consistent to existing land patterns in the area.*

*Example of a Growth Management Policy that the Technical Review Committee found supporting this recommendation are:*

***Policy 8.4 The County should approach land use and economic development decisions, not as isolated individual issues, but as part of a larger interconnecting framework of building sustainable growth within Randolph County.***

**Lackey** was present and explained that they are a world mission. Lackey said they need the building for their ministry and also plan to use the facility for some fire department funding raising events. Lackey asked that the building size be changed to 50' x 100'. Lackey said they would like to use the building for community fund raising as well as their ministry. Lackey said the building will be constructed out of block. Lackey said their will be no alcohol allowed on the premises. Lackey said that all the proceeds will be used in missions.

**There were 3 people present in opposition to this request.**

**Dave Cannon**, 3258 Southfork Road, said that he is concerned that the building will be used for many public uses. Cannon said he is concerned about the noise

that may come from these events. Cannon said Randolph County should protect these rural areas.

**Bill Ferenze**, 2341 Southfork Road, expressed concern of the property being used for commercial uses. Ferenze said it didn't seem that there was any kind of real plan as to how the building will be used. Ferenze said there is a church up the road that has a facility that doesn't get much use. Ferenze expressed environmental concerns of run-off from the parking lot and the septic system. Ferenze expressed concern for the noise that may be created by this facility. Ferenze expressed concern that it could become a large unused facility. Ferenze said it will be just another vacant facility. Ferenze said he felt the area was too remote to draw people to the facility. Ferenze expressed concern that this would effect the taxes of people in this community. Ferenze said they are very much against this request.

**Barbara Ferenze**, 2341 Southfork Road, said that they are relatively new to this area. Ferenze said they live in this rural area for their animals and this is their choice. Ferenze said that they bought into this area because of its rural appeal. Ferenze said they have lived near churches and it depends on what kind of church it is as to the type of noise it will create. Ferenze expressed concern for the noise that comes from the property with their outdoor activities they currently have under tents. Ferenze said that when people go to church they shouldn't inflict their religious activities on their neighbors. Ferenze said that this could cause traffic concerns. Ferenze asked the Board to protect their way of life.

**Lackey** said that he is a longtime resident of Jackson Creek. Lackey told the Ferenzes that he owns property next to them that is zoned for a building. Lackey said that the other longtime residents are not here to speak in opposition to this request. Lackey said that the building will reduce any noise that would come from the property now. Lackey said there is not a creek behind the area where they plan to build the parking lot. **Rains** asked Lackey what the average number of meetings would be each month. **Lackey** answered they currently have a meeting once every three months. Lackey said they would probably be once a month if the building was constructed. **Rains** asked if the surface of the parking lot would be required to be paved and **Johnson** answered no.

**Johnson** asked Lackey his plans for the remainder of the property. **Lackey** said they plan to keep the land as it is, vacant. **Johnson** asked Lackey if he has considered any buffers. **Pugh** asked Lackey if he would be willing to border this property with a buffer. **Lackey** said he would consider a Level 2 buffer along the southern and western property line as part of his request.

**Rains** asked Lackey if the mobile home will remain on the property and **Lackey** said the mobile home will stay.

**Pugh** said if this was a church they would not have to come before this Board. Pugh said that as Johnson has stated a church is permitted under the Freedom of

Religion Act.

**Ridge** made the motion, seconded by **Joyce**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

- B. NIEMITALO INVESTMENTS**, Archdale, North Carolina, is requesting that 2.76 acres located at 3194 Sumner Road, Trinity Township, be rezoned from LI-CU to LI-CD. Primary Growth Area. Lake Reese Watershed. Tax ID# 7715366651. The proposed Conditional Zoning District would specifically allow an office and warehouse storage for a concrete construction business as per site plan. Property Owner - J L Furnishings East.

**David Cecil**, Attorney representing Niemitalo Investments, said that the company that will operate in this facility is American Concrete Company. Cecil said no actual concrete will be stored on the site. Cecil said the facility will be used for an office, repair shop, and warehouse facility. Cecil said there will be approximately 6-10 people working full-time on site. Cecil said that the remainder of the employees will work off-site. Cecil said that the number of full-time on-site employees will be reduced from the number currently employed for the furniture business. **Johnson** said this will be a less intense use than what the property is currently zoned for. **Cecil** said there are no plans for any future buildings on the property.

**Rains** asked if the property is fenced, and **Scott Niemitalo** answered that he plans to fence the property with a locking gate. Niemitalo said they are operating from a 1000 sq. ft. home office with a 3500 sq. ft. storage building. Niemitalo said that this facility will allow him to store all his forms and his equipment that is weather sensitive inside the building.

**There was no one present in opposition to this request.**

**McLeod** made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

6. **Amend Unified Development Ordinance, Article XII. District Regulations, to include:**

**Section 5.3 Regulations for Special Use Permits.**

**Use:** **Directional Gateway Sign**

**Special Use District:** RA, RM, RR, RE, E-1

**Site Considerations:** One (1) directional gateway sign shall be permitted for the same business.

Landscaping of the site around the sign using appropriate plantings and shrubs is required.

**Sign Requirements:**

Directional gateway signs shall not exceed 16 sq. ft. for a single business and 16 sq. ft. for the name of the street and/or development with a maximum total sign size of 75 sq. ft. No directional gateway sign shall exceed eight (8) ft. in height.

Non-flashing or indirect illumination is required. All lighting must be motionless.

Sign must be a ground mounted sign constructed of metal, brick, or fiberglass.

Any directional gateway sign shall be subject to approval by the N.C. Department of Transportation. No directional gateway sign shall be placed where it may cause a hazard, or obstruct the view of any driver.

**Plans:**

A construction plan shall be required prior to issuance of a zoning permit.

**Johnson** said that the Commissioners felt we needed to consider allowing these type of directional signs in residentially zoned areas. Johnson said this proposal would permit this type of sign by a Special Use Permit in residential areas.

**Brown** made the motion, seconded by **Pell**, to recommend to the Commissioners that this amendment be approved.

7. The meeting adjourned at 8:05 p.m. There were 15 people present for this meeting.

---

**NORTH CAROLINA  
RANDOLPH COUNTY**

*HAL JOHNSON*

---

**Planning Director**

*JILL WOOD*

---

**Date**

---

**Clerk/Secretary**